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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,537	10/01/2003	Yoshinori Fukuda	040894-5963	5351
9629	7590	02/07/2006	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			WON, BUMSUK	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/674,537		FUKUDA, YOSHINORI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Bumsuk Won		2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/05</u>   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

The amendment filed on 9/1/2005 has been entered and overcomes the objections to the claims and specification.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-2 and 6-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamada (US 2005/0099113).**

Regarding claim 1, Yamada discloses an organic electroluminescent display (figure 1) comprising: an organic electroluminescent device (figure 1) having a light emitting layer (3c) made of an organic material (paragraph 21) and at least two electrodes (2 and 4b) sandwiching the light emitting layer; a front reflecting portion (4 and 5) arranged on a side of a viewer with respect to the light emitting layer; and a rear reflecting portion arranged on a side opposite to the viewer with respect to the light emitting layer, wherein the optical film thickness of the light emitting layer (paragraph 21, lines 12-21), intensity reflectance R1 (paragraph 30 and table 2) at the front

Art Unit: 2879

reflecting portion and intensity reflectance R2 (paragraph 8, lines 9-13) at the rear reflecting portion are configured so that an intensity reflectance of the external light viewed from the viewer is set to be 10% or less by an optical interference effect (abstract).

Regarding claim 2, Yamada discloses the intensity reflectance R1 (paragraph 30 and table 2) and the intensity reflectance R2 (paragraph 8, lines 9-13) are configured to be  $R1 \leq R2$ .

Regarding claim 6, Yamada discloses the organic electroluminescent display (figure 1) wherein the front reflecting portion (4 and 5) comprises a substrate (5) and at least one transparent film (4b).

Regarding claim 7, Yamada discloses the organic electroluminescent display (figure 1) wherein the film comprises one electrode (4b).

Regarding claim 8, Yamada discloses the organic electroluminescent device (figure 1) further comprises a substrate (5), and wherein the front reflecting portion (4 and 5) comprises an interface (not referenced) between either one of the electrodes (4b) and the substrate (5) of the organic electroluminescent device.

Regarding claim 9, Yamada discloses the organic electroluminescent device (figure 1) further comprises a transparent film (5), and wherein the front reflecting

Art Unit: 2879

portion (4 and 5) comprises an interface (not referenced) between either one of the electrodes (4b) and the transparent film (5) of the organic electroluminescent device.

Regarding claim 10, Yamada discloses the front reflecting portion (figure 1, 4 and 5) comprises air (not referenced) and a transparent film (5).

Regarding claim 11, Yamada discloses the rear reflecting portion (figure 1, 2) comprises the electrode (2).

Regarding claim 12, Yamada discloses the rear reflecting portion (figure 1, 2) is a reflective film (2, paragraph 20).

Regarding claim 13, Yamada discloses the film (figure 1, 2) comprises the electrode (2, paragraph 20).

Regarding claim 14, Yamada discloses an organic electroluminescent display (figure 1) equipped with an organic electroluminescent device (figure 1) having a laminated optical structure (paragraph 3) with low reflectance and transmittance (table 2), wherein the organic electroluminescent device comprises: a substrate (1); a first semitransparent film (4 and 5); a second semitransparent film (3); and a reflective film (2), and wherein the first semitransparent film (4 and 5), the second semitransparent film (3) and the reflective film (2) are laminated (paragraph 3) on the substrate (1) in this order or an order opposite thereto (figure 1).

Regarding claim 15, Yamada discloses the first semitransparent film (4 and 5) and the reflective film (2) comprises an electrode (2 and 4b), respectively, and wherein the second semitransparent film (3) comprises a light emitting layer (3c) made of an organic material (paragraph 21).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada (US 2005/0099113) in view of Hirano (US 2003/0171060).**

Regarding claim 3, Yamada discloses all of the claimed limitations except for the intensity reflectance R2 that satisfy Equation (1). Yamada discloses the material and its thickness of reflective electrode in paragraph 20. Yamada discloses platinum, gold, chromium, and tungsten can be used as the reflective electrode.

Kita discloses platinum, gold, chromium, and tungsten being used as an electrode in an organic electroluminescent display, and the reflectance is not less than 30% (paragraph 61), for the purpose of improving light efficiency.

When R1 (Yamada, table 2, 48%) and R2 (Kita, paragraph 61, 48% (not less than 30%)) are applied, Equation (1) is satisfied.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use platinum, gold, chromium, and tungsten with reflectance of not less than 30% disclosed by Kita in the organic electroluminescent display disclosed by Yamada, for the purpose of improving light efficiency.

Regarding claim 4, Yamada discloses all of the claimed limitations except for the intensity reflectance R1 and the intensity reflectance R2 are configured to be approximately equal.

Kita discloses the reflectance of the electrode using platinum, gold, chromium, and tungsten are not less than 30% which is in the range of R1 disclosed by Yamada. The reason for combining is the same as for claim 3 above.

Regarding claim 5, Kita discloses the reflectance of the electrode using platinum, gold, chromium, and tungsten are not less than 30% (paragraph 61). The reason for combining is the same as for claim 3 above.

### ***Response to Amendment***

Regarding objection to the Drawing, the Applicant's argument in regards to the Drawings objection not having "interface" feature that are claimed in claims 8 and 9 have been persuasive. The objection is hereby withdrawn.

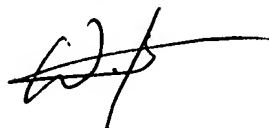
Art Unit: 2879

***Contact information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bumsuk Won whose telephone number is 571-272-2713. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bumsuk Won  
Patent Examiner



**JOSEPH WILLIAMS**  
**PRIMARY EXAMINER**